

**Statement of
Gold Star Wives of America, Inc.**

before the

Subcommittee on Disability Assistance & Memorial Affairs
Committee on Veterans' Affairs
United States House of Representatives

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Presented by

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Gold Star Wives of America, Inc.
Chair, Government Relations Committee

“With malice toward none; with charity for all; with firmness in the right, as God gives us to see right, let us strive to finish the work we are in; to bind up the nation’s wounds, to care for him who has borne the battle, his widow and his orphan.”

...President Abraham Lincoln, Second Inaugural Address, March 4, 1865

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INTRODUCTION/BACKGROUND

Chairman Hall, Representative Lamborn, and Members of the House Veterans' Affairs Disability Assistance and Memorial Affairs Subcommittee, I would like to thank you for the opportunity to testify before you today on behalf of all Gold Star Wives regarding the importance of addressing critical services for America's military widows and their children.

My name is Rose Lee. I am a widow and I am here before you as the Chair of the Gold Star Wives (GSW) Committee on Government Relations. For many years now I have been working to achieve the overall goals of the Gold Star Wives, in various national and local positions, and more specifically to assist our young, new widows, one by one, wind their way through the maze that lies before them with first notification of the death of their loved one.

The Gold Star Wives of America, Inc. was founded in 1945 and is a Congressionally-chartered service organization comprised of surviving spouses of military service members who died while on active duty or as a result of a service-connected disability. We could begin with no better advocate than Mrs. Eleanor Roosevelt, newly widowed, who helped make GSW a truly national organization. Mrs. Roosevelt was an original signer of our Certificate of Incorporation as a member of the Board of Directors. Many of our current membership of over 10,000 are the widows of service members who were

killed in combat during World War II, the Korean War, the Vietnam War and the more recent wars including the one we are currently in.

In my testimony, I will respond to your request for our views on “Helping Those Left Behind: Are We Doing Enough for the Grandparents, Spouses, and Children of Veterans?” In doing so, I will present to you the collective goals of the Gold Star Wives with the hopes that they will alert you to certain discrepancies and inefficiencies that you may be able to alleviate in your deliberations this year.

I do want to thank the Members of this Subcommittee and the staff for your continued support of programs that directly support the well-being of our service members’ widows and their families. It is imperative that the difficulty of the sacrifice of our husbands’ lives should not be compounded by lack of information, confusing information and sometimes even erroneous information that prevent our widows from accessing the assistance she needs to begin the rest of her life without that core person who had been her most critical support.

THE CHALLENGE

Let me be clear from the start. We are NOT doing enough. We are unmistakably in a time of war. Warriors are dying and leaving behind young families. If there is one message I could leave you with today it is that there is never enough good communication. The Casualty Assistance Calls Officers (CACOs) have a difficult

mission in a difficult time. They act to assist survivors from the death notification to assistance with coordinating funeral arrangements to applying for benefits and entitlements. They do a valiant job but CACOs are not trained to be the subject matter expert for the benefits and entitlements managed by the VA or the DoD.

Our widows need our help. We need to identify and reach out to them. The National President of the Gold Star Wives sends a condolence letter to new surviving spouses. In addition, we must coordinate with our counterparts in other agencies to ensure that the message given is thorough and consistent as they transition to their lives made forever different by the loss of a loved one.

BRIDGING THE GAPS

Getting the right information to the right people at the right time is important. Getting the right benefit is important as well. There are gaps in the benefits for survivors that we have called for corrective action on over time. If we are serious about addressing the question, “are we doing enough,” then it is time to respond to these issues where we clearly fall short of ‘enough.’

1. Despite valiant efforts over the past years, the dollar for dollar offset of Survivor Benefit Plan (SBP) annuity payments by benefits from the VA’s Dependency and Indemnity Compensation program was not eliminated. The SBP was voluntarily purchased by the disabled retiree and provided by Congress to the servicemember

who dies on active duty in order to assure a continuation of the retired pay for their survivor. This income is not protected when the DIC benefit offsets the SBP income to which a survivor is entitled, sometimes eliminating the entire SBP. We recognize you must act with your colleagues on the Committee on Armed Services on this issue. We encourage Congress to provide this real relief for our military surviving spouses now. All we seek is equity with benefits provided by Congress to the disabled military retiree and federal civilian workers. Disabled military retirees, federal retired annuitants and their survivors receive their benefit without offset of VA benefits. The military survivor benefit should be similar.

2. The law currently allows for surviving spouses who remarry after age 57 to retain their VA DIC survivor benefit. For those who remarried before that law was enacted, there was a one-year period to apply for reinstatement. Communication in the form of outreach was lacking during the retroactive period. Therefore, we request two equitable changes to the law:
 - a. allow survivors to retain DIC on remarriage at age 55 in order to bring this benefit in line with rules for SBP and other federal survivor programs; and
 - b. open up the reinstatement period with renewed outreach efforts to make survivors aware of their eligibility.
3. The additional monthly \$250 child DIC payment per family only applies to survivors of deaths after January 1, 2005. This too should be linked to October 7, 2001. It makes no sense that the survivors of those who died 'first' should be

prohibited from accessing a benefit given to survivors of those who died later in the same war. This money was provided to the surviving spouse, and if there is no surviving parent, the child does not receive this money.

4. There's another grievous oversight concerning the \$250 child DIC. The program evaluation of benefits study recommended that surviving spouses with dependent children receive the \$250 for five years instead of two years and that amount should be indexed for inflation, to avoid a devaluation of the benefit.

Unfortunately, those receiving the \$250 child DIC are not receiving it for five years and are not receiving even a small \$10 Cost of Living Adjustment (COLA).

5. CHAMPVA, the Civilian Health and Medical Program of the Department of Veterans' Affairs, currently does not carry with it a dental plan. In order to increase beneficiaries' access to dental care at a reasonable cost, GSW seeks for widows and all CHAMPVA beneficiaries the ability to purchase a voluntary dental insurance plan. We are in agreement that the model of the TRICARE program for military service retirees for dental care in which the payment of premiums or services is completely funded by the enrollee is an acceptable model. Beneficiaries are simply looking for affordable dental care, which can be accomplished through a group plan. Allowing for assignment of VA benefits to cover the cost of dental insurance premiums would be an additional benefit to ease the payment process. This would require a modification to Title 38, Chapter 53.

6. We would like to begin the process of reviewing how the DIC rate is established, which is currently a flat rate. The SBP is calculated at 55 percent of retired pay. We recommend that the DIC be calculated in a similar manner at 55 percent of the disabled veterans 100 percent disability compensation amount. We would welcome the opportunity to work with the committee in determining how to implement these changes, which will provide more equitable compensation to our survivors.

7. Importantly, we have long been aware that survivors are forced into a fragmented approach to determine their benefits and rights. We need to examine the coordination process between agencies more closely and work hard to prevent these widows and their children from encountering gaps in identifying benefits. Further complications arise in this current conflict because it presents issues that we have not had to address before in that there are National Guard members whose families are not near a military installation and find it difficult to learn about their benefits, burial information, etc. We firmly believe that an office should be established that would provide oversight to the policy issues of survivors, and be a transitional assistance to survivors and the main coordinator between the Department of Defense and the Department of Veterans Affairs. Without such an entity, widows are left to make their own way through a bureaucratic maze at a time in their life that could be no worse.

Finally, there are three other issues that we want to bring to your attention:

1. Widows whose husband died in VA hospitals due to wrongful VA hospital care receive only DIC without any other VA benefits (Title 38 USC 1151). We urge the Subcommittee to support the measures necessary to allow these widows to be entitled to the same VA benefits as provided widows by wrongful deaths by friendly fire.
2. We recommend that the Subcommittee ensure that medical benefits be provided fairly and equitably to include surviving spouses and eligible children (i.e., seek legislation to remove Part B penalties and interest for late enrollment and promote a feasibility study to convert VA facilities to Long Term Care facilities which would welcome widows/widowers).
3. Education benefits for surviving spouses who are on active duty should be able to use the education benefit derived from her deceased husband while still serving on active duty. Currently, the active duty widow must resign from the military in order to use the derived educational benefit.
4. There is a small group of widows whose husband died short of twenty years of military service between 1993 and 2001 without SBP or rank-based DIC. This small group should be considered for an equity benefit as support payments.

CONCLUSION

In conclusion, we do not want our widows to be forgotten whether they are experiencing their losses currently or whether they are members of the so-called Greatest Generation and experienced their loss many years ago during World War II. Whenever the ultimate sacrifice is given, there is family left behind. In the same way we have asked some to give their lives, we have also asked some to continue their lives with a chasm so large it is difficult to transgress. Let us show the spirit of this nation by not forgetting these widows, whose numbers grow daily.

I regret if I show some frustration in this next remark. These are issues we have addressed to the Congress over many years now. We have faith that when you ask the question, “Have we done enough?” that you will, with determination, try to close the gap to ‘enough.’ It is time to move forward with these issues.

I thank this Subcommittee for using this hearing as one more avenue of awareness and education and for giving me an opportunity to share my thoughts and the goals of the Gold Star Wives. We will be happy to work with the Subcommittee on any of these initiatives. Thank you.

BIOGRAPHY--MRS. ROSE ELIZABETH LEE

Rose Lee was born in Pittsburg, California and is the widow of Colonel C. M. Lee, U.S. Army, who served in Korea and in Vietnam. He died on active duty overseas in 1972. Rose has two children and three grandchildren. In 1978, she was appointed Gold Star Wives Washington Representative and has been active through most of the time since then. Rose was Gold Star Wives National President 1991 – 1993 and Chair of the Board of Directors 1998 – 2002. She was the Potomac Area Chapter President since 2004 - 2006. All her Gold Star Wives work is voluntary. Her mission is to “train” new young widows to become involved with legislative work. She is a member of the VA Advisory Committee on Cemeteries and Memorials. She was awarded Gold Star Wives’ Appreciation Award, July 1994 and 1999.

Rose worked in personnel management, Veterans’ Employment, and retired from Federal service in 1992. Rose appreciates her VA Education Benefits as she used them to return to school to complete a BA in Political Science and a Master of Public Administration in 1977 from the American University, Washington, D.C.

DISCLOSURE STATEMENT

Neither Mrs. Lee nor the Gold Star Wives of America, Inc. have received any Federal grant or contract, relevant to the subject matter of this testimony, during the current or previous two fiscal years.

Signature, Mrs. Rose E. Lee

____April 18, 2007_____

Date